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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,210	09/18/2003	Etienne Tezenas du Montcel	28779/32000	8290
4743	7590	08/20/2004	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 6300 SEARS TOWER 233 S. WACKER DRIVE CHICAGO, IL 60606			EVANISKO, LESLIE J	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 08/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/666,210

Applicant(s)

TEZENAS DU MONTCEL,  
ETIENNE

Examiner

Leslie J. Evanisko

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5, 7, 9, 10, 12-14 and 16 is/are rejected.  
7) ☒ Claim(s) 6, 8, 11 and 15 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the offset printing machine of claim 16 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to because of the following informalities: In Figure 8, there are two occurrences of reference numeral **20** (one near the bottom of the Figure and one closer to the top of the Figure--above reference numeral **30**). It appears from the previous Figures that the lowermost occurrence of reference numeral **20** should actually be reference numeral **26** since it appears to be designating the device for fixing the blanket unit as described in the second paragraph on page 8. Additionally, it appears that the

occurrence of reference numeral **26** in Figure 8 should actually be reference numeral **28** since it appears to be illustrating the spindle (again see the second paragraph on page 8 of the specification).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

5. Claims 4, 8, 13 and 15 are objected to because of the following informalities:

With respect to claim 4, the term “it” is unclear as to what structure “it” is intended to be referring to. Furthermore, the phrase “wherein it comprises” is awkward. To correct these problems, it is suggested the language “wherein it comprises” be deleted and replaced with --further comprising-- or similar language.

With respect to claims 8 and 15, it is suggested that the term “itself” be deleted since it is unnecessary.

With respect to claims 13 and 15, again the term “it” is unclear as to what structure “it” is intended to be referring to. To correct this problem, it is suggested that the term “it” be deleted and replaced with the actual structure it is referring to.

6. Claims 12-15 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

With respect to claims 12-15, these claims are not proper dependent claims. In particular, a claim in dependent form must include all of the

limitations of the claim incorporated by reference into the dependent claim. Since it is clear from the wording of claims 12-15 that these claims do not include every limitation of the claim 1 on which it depends, the claims are not proper dependent claims. To correct this problem, it is suggested that claims 12 and 14 be rewritten in independent form.

Appropriate correction and/or clarification is required.

In an effort to advance prosecution of the application, the Examiner has assumed that claim 12 is an independent claim directed to cylinder and fixing device including the structure as set forth in claim 1 under the second indent (lines 8-16). Additionally, the Examiner has assumed that claim 14 is an independent claim directed to the blanket unit including the structure as set forth in claim 1 under the first indent (lines 2-7) and including the recitation in the last three lines of the claim as well as the opening recited in lines 12-13.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Rau (US 5,613,440). Rau teaches a cylinder **1** having an aperture **2** for

Art Unit: 2854

receiving front and rear edges **5, 9, 21** of a plate **6, 22**, the cylinder comprising a device **7, 8, 10, 25, 26** for fixing the printing form to the cylinder including at least one hook **8, 25** adapted to be inserted in an opening **24** of the rear edge **21** of the plate **22** in order to apply a tension load to the plate that is substantially parallel to the rear plate edge. See Figures 1 and 4-5 in particular. Note that although Rau does not specifically teach fastening a blanket unit to a blanket cylinder, the claim is drawn to the cylinder structure per se and since the cylinder structure of Rau is broadly capable of being used to fasten a blanket unit (instead of a plate), it therefore meets the claim language as recited.

With respect to claim 13, note that the fixing device of Rau includes at least one element **10** for pressing upon the front edge **5** of the plate in order to apply it against the front wall of the aperture, the element being separate from the hook.

9. Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Robert (US 6,101,942). Robert teaches a blanket unit comprising a blanket **9** and a blanket support plate **2**, the front edge **3** and rear edge **4** of the support plate **2** being bent over in the region of a front bend and a rear bend, respectively, the rear edge **4** of the support plate protruding beyond the rear edge of the blanket which is located adjacent to the rear bend and including an opening **31** adapted to receive a hook of a fixing device, and the front edge of



the support plate protruding beyond the front edge of the blanket which is located adjacent to the front bend. See Figures 1-3 in particular.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-5, 7, 9-10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al. (US 6,561,094) in view of Robert (US 6,101,942). Schneider et al. teach an assembly for an offset printing machine comprising a cylinder **01** having an aperture **03**, **09** for receiving the front and rear edge **06**, **07** of a plate **02**, the cylinder comprising a device **14**, **16** for fixing the printing form to the cylinder including at least one hook **16**, **23** adapted to be inserted in an opening **24** of the rear edge **07** of the plate **02** in order to apply a tension load to the plate that is substantially parallel to the rear plate edge. See Figures 1-2 in particular. Note that Schneider et al. teach the cylinder may be a rubber blanket cylinder in column 2, lines 30-32 but fails to teach any specific structure of the blanket that may be attached to the blanket cylinder. Robert teaches cylinder including a fixing device for fixing a blanket unit, the blanket unit comprising a blanket **9** and a blanket support

Art Unit: 2854

plate **2**, the front edge **3** and rear edge **4** of the support plate **2** being bent over in the region of a front bend and a rear bend, respectively, the rear edge **4** of the support plate protruding beyond the rear edge of the blanket which is located adjacent to the rear bend and including an opening **31** adapted to receive a hook of a fixing device, and the front edge of the support plate protruding beyond the front edge of the blanket which is located adjacent to the front bend. See Figures 1-3 of Robert in particular. In view of this teaching, it would have been obvious to one of ordinary skill in the art to provide the blanket unit structure as taught by Robert in the assembly of Schneider et al. to allow for a small print gap in the blanket cylinder and to allow for a blanket unit having a large useable print area.

With respect to claim 3, note the hook 16, 24 of Schneider et al. is a resilient blade as set forth in column 2, lines 55-60.

With respect to claim 4-5 and 7, note Schneider et al. includes a means **14, 22** for applying the front edge **06** of the plate **02** against a front wall **12** of the aperture **03, 09**, the application means being at least one element comprising a resilient blade for pressing on the front edge of the plate and being separate from the hook. See Figure 1 in particular.

With respect to claims 9-10, although Schneider et al. is silent with respect to the exact width of the aperture near the peripheral surface of the cylinder, it is well known in the art that minimizing the size of the width of the aperture near the cylinder surface is desirable to allow for a larger print area

and minimize the effects of cylinder bounce created by a large gap.

Furthermore, the optimum width for the cylinder aperture could easily be determined through obvious routine experimentation. Therefore, it would have been obvious to one of ordinary skill in the art to provide an aperture having a width less than 1.1 mm to provide a cylinder with a larger print area and smoother operating characteristics.

With respect to claim 16, note Schneider et al. teach an offset printing machine as recited in column 2, lines 30-39.

***Allowable Subject Matter***

12. Claims 6, 8, 11, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Note the above set forth objections to claims 8 and 15 must also be corrected to the satisfaction of the Examiner.

13. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claim 6, the prior art of record fails to teach or fairly suggest an assembly for an offset printing machine having all of the structure as recited, in combination with and particularly including, the pressing element extending, in order to press on the front edge of the support plate,

through the opening in the rear edge of the support plate which receives the hook.

With respect to claims 8 and 15, the prior art of record fails to teach or fairly suggest a blanket unit for an assembly for an offset printing machine having all of the structure as recited, in combination with and particularly including, the rear edge of the support plate being bent in the region of an intermediate bend which delimits an end region in which the opening for receiving the hook is provided and an intermediate region which is intended to press against the front edge of the support plate in order to apply the front edge of the support plate against the front wall of the aperture.

With respect to claim 11, the prior art of record fails to teach or fairly suggest an assembly for an offset printing machine having all of the structure as recited, in combination with and particularly including, the front wall and rear wall of the aperture form, starting from the peripheral surface of the cylinder, an angle which is less than 20°.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Puschner et al. (US 5,644,984), Reutter (US 5,692,443), Reichel et al. (US 6,612,239), and Yoshizawa et al. (US 6,481,348) each teach an assembly for clamping a printing plate or a blanket unit to a cylinder in a printing machine having obvious similarities to the claimed

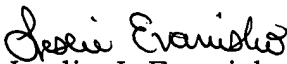
subject matter. Additionally, Gertsch (GB 2 167 011 A) teach a rubber blanket clamping assembly having obvious similarities to the claimed subject matter.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lje  
August 19, 2004

  
Leslie J. Evanisko  
Primary Examiner  
Art Unit 2854